

STATE OF CONNECTICUT
DEPARTMENT OF HEALTH SERVICES
BUREAU OF HEALTH SYSTEM REGULATION
DIVISION OF MEDICAL QUALITY ASSURANCE

IN RE: SEYMOUR LEOPOLD, D.V.M.

PETITION NO. 920819-47-023

CONSENT ORDER

WHEREAS, Seymour Leopold, D.V.M., of Bethel, Connecticut, hereinafter referred to as "Respondent", has been issued license number 00657, to practice veterinary medicine, surgery and dentistry by the Department of Health Services pursuant to Chapter 384 of the General Statutes of Connecticut, as amended; and

WHEREAS, the Department of Health Services, hereinafter referred to as "Department", alleges as follows:

1. On June 30, 1992, Respondent performed declawing procedures on two cats.
2. As part of those procedures, Respondent used 4-5 catgut sutures to close the skin on each toe of each cat.
3. At the conclusion of the procedure Respondent specifically advised the owner that she could use "kitty litter" in the cats' litter box, and that shredded paper or other alternative materials were unnecessary.
4. Both cats subsequently developed infections, necessitating

further treatment and expense for the owner.

5. The use of 4-5 sutures per toe, as opposed to pressure bandages or other methods, is not current accepted practice for declawing procedures.

6. The use of catgut sutures to close skin, as opposed to synthetic, monofilament, "non-wicking" suture materials, is not current accepted practice.

7. The recommendation to use "kitty litter", as opposed to shredded paper, is not current accepted practice.

8. By his actions as described above, Respondent has failed to conform to accepted standards of the veterinary profession, in violation of General Statutes of Connecticut Section 20-202(2).

9. Respondent is presently practicing veterinary medicine in Connecticut.

WHEREAS, Respondent does not admit the allegations of the Department but desires to conclude this matter in a manner serving the interests of the parties hereto.

NOW THEREFORE, pursuant to Section 19a-17 and Section 20-202 of the General Statutes of Connecticut, Seymour Leopold, D.V.M. hereby stipulates and agrees to the following:

1. He waives his right to a hearing on the merits of this matter;

2. He shall successfully complete 100 hours of continuing professional education and training, which shall include animal surgery, pursuant to the Connecticut CVMA Academy of Veterinary

Practice continuing education requirements within a two (2) year period commencing on January 1, 1993.

a. Respondent shall provide the Department of Health Services with documentation from the institution(s) and/or organizations sponsoring such education and training verifying his attendance and the hours of credit allowed for each course and/or program.

3. He shall make his records regarding treatment of animals, including surgical records, available for unannounced inspections by the Department and its authorized representative for a two (2) year period for any treatment of animals that occurs within the two (2) year period covered by this Consent Order. The number of unannounced inspections shall not exceed one (1) in any six (6) month interval.

4. He shall not perform any further declaw procedures until he has observed or assisted another veterinarian, which veterinarian shall be licensed in the state that the veterinarian practices veterinary medicine, in three (3) such procedures and has furnished documentation of that fact from the veterinarian(s) performing the same to the Department.

5. He shall conduct his practice in conformity with all applicable statutes and regulations, and with all applicable standards of his profession.

6. Any deviation by the Respondent from the terms of this Consent Order as specified above, or failure to comply with the

terms hereof, shall result in the following procedure:

a. He will be given written notice that the term(s) of this Consent Order have been violated.

b. Said notice shall include the act(s) or omission(s) which violate this Consent Order.

c. He shall be allowed fifteen (15) days from the date such notice is mailed by certified mail to his address as maintained on file with the Department of Health Services to demonstrate that he was in compliance with the terms of the Consent Order.

d. If he fails to demonstrate compliance within the fifteen (15) day period to the satisfaction of the Department of Health Services, his license shall be suspended for a period of one (1) year, unless he requests a hearing in the manner provided below.

e. He must initiate said hearing through a written request sent by certified mail to the Department of Health Services within fifteen (15) days from the date of mailing of the notice of violation of this Order.

f. If he so requests a hearing in timely fashion, he shall be entitled to a hearing before the Connecticut Board of Veterinary Medicine.

g. Evidence presented to said Board by either the Department of Health Services or Respondent shall be limited to the alleged violation(s) of the term(s) of this Consent Order.

7. Inspection of Respondent's records that indicates, directly or indirectly, that the Respondent is unable to practice veterinary

medicine, surgery and dentistry with reasonable skill and safety or within the accepted standards of the veterinary profession shall constitute a deviation from the terms of this Consent Order and shall result in the procedures listed in 6 above.

8. He understands that this Consent Order may be considered as evidence of the above alleged violations in any proceeding before the Connecticut Board of Veterinary Medicine (1) in which his compliance with this same order is at issue, or (2) in which his compliance with Section 20-202 of the General Statutes of Connecticut, as amended, is at issue. The Respondent specifically agrees not to contest the allegations of the Department in any such proceedings.

9. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, that said order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive him of any other rights that he may have under the laws of the State of Connecticut or of the United States.

10. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department of Health Services at any time prior to its being executed by the last signatory.

11. This Consent Order is effective the first day of the next

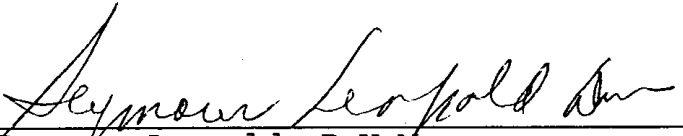
month after which the last signatory executes this documents.

12. He hereby authorizes a representative of the Public Health Office of the Division of Medical Quality Assurance, Connecticut Department of Health Services to present this Consent Order and the factual basis for said Consent Order to the Connecticut Board of Veterinary Medicine. He understands that said Board has complete and final discretion as to whether or not the Consent Order is approved or granted. He further agrees that the pre-hearing review form signed by him is incorporated by reference into this Consent Order.

13. That he has consulted with an attorney prior to signing this document.

14. He understands that this Consent Order is a matter of public record.

I, Seymour Leopold, D.V.M., have read the above Consent Order, and I agree with the terms set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

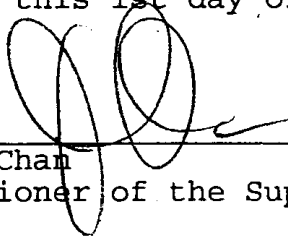

Seymour Leopold, D.V.M.

State of Connecticut:
:
County of Fairfield :

ss: Danbury

June 1, 1993

Subscribed and sworn to before me this 1st day of June, 1993.


Jackie Chan
Commissioner of the Superior Court

The above Consent Order having been presented to the duly appointed agent of the Commissioner of Health Services on the 2nd day of June, 1993, it is hereby accepted.

Elice Gaultin-Kremer, Asst Director
for Stanley K. Peck, Director
Division of Medical Quality Assurance

The above Consent Order having been presented to the duly appointed agent of the Connecticut Board of Veterinary Medicine on the 2 day of June, 1993, it is hereby ordered and accepted.

Connecticut Board of Veterinary
Medicine

BY: *John P. Quinn*